

**IN THE  
COMMONWEALTH OF VIRGINIA  
REAL ESTATE BOARD**

**Re:** William M. Cooke, Sr.  
Richmond, VA 23220

File Number           2006-03320  
License Number       0225021678

**CONSENT ORDER**

Respondent William M. Cooke, Sr. ("Cooke") recognizes and acknowledges being subject to and bound by the Regulations of the Real Estate Board ("Board"), as well as by all other applicable Virginia laws.

Cooke knowingly and voluntarily waives any proceedings for this matter under the Administrative Process Act, §§ 2.2-4019, 2.2-4020, and 2.2-4021 of the 1950 Code of Virginia, as amended.

**Board's Regulations provides:**

**18 VAC 135-20-155. Grounds for disciplinary action.**

The board has the power to fine any licensee, and to suspend or revoke any license issued under the provisions of Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1 of the Code of Virginia, and this chapter where the licensee has been found to have violated or cooperated with others in violating any provision of Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1 of the Code of Virginia, Chapter 1.3 (§ 6.1-2.19 et seq.) of Title 6.1 of the Code of Virginia or any regulation of the board. Any licensee failing to comply with the provisions of Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1 of the Code of Virginia or the regulations of the Real Estate Board in performing any acts covered by §§ 54.1-2100 and 54.1-2101 of the Code of Virginia may be charged with improper dealings, regardless of whether those acts are in the licensee's personal capacity or in his capacity as a real estate licensee.

***Historical Notes:***

*Derived from Virginia Register Volume 19, Issue 12, eff. April 1, 2003.*

The Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, is incorporated with the Consent Order.

By signing this Consent Order, Cooke acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings. Cooke consents to the following term(s):

Count 1:	18 VAC 135-20-260.10 (13 violations)	\$ 0.00
Count 2:	18 VAC 135-20-260.10 ( 5 violations)	\$ 0.00
Count 3:	18 VAC 135-20-260.11 (13 violations)	\$ 0.00
Count 4:	18 VAC 135-20-260.11 ( 5 violations)	\$ 0.00
Count 5:	18 VAC 135-20-300.9 (13 violations)	\$ 0.00
Count 6:	18 VAC 135-20-300.9 ( 5 violations)	\$ 0.00

<b>TOTAL MONETARY PENALTIES</b>		<b>\$ 0.00</b>
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**In addition, for violation of Counts 1-6, Cooke agrees to revocation of his license.**

Any monetary penalties, costs, and/or sanctions are to be paid/performed within thirty days of the effective date of this consent order unless otherwise specifically noted above. Cooke acknowledges any monetary penalty and/or costs as a debt to the Commonwealth and agrees that in the event of a default, or the return of a check for insufficient funds, Cooke will be responsible for a penalty fee of 10% and interest at the underpayment rate prescribed in § 58.1-15 of the 1950 Code of Virginia, as amended, and for all reasonable administrative costs, collection fees, or attorney's fees incurred in the collection of whatever funds are due.

**Cooke acknowledges that failure to pay any monetary penalty or costs and/or to comply with all terms of this Order within the specified time period, shall result in the automatic suspension of Cooke's license until such time as there is compliance with all terms of this Order. Cooke understands the right to have this automatic suspension considered in an informal conference pursuant to the Administrative Process Act §§ 2.2-4019 and 2.2-4021 of the 1950 Code of Virginia, as amended, but knowingly and voluntarily waives any rights to the proceeding and hereby waives any further proceedings under the Administrative Process Act §§ 2.2-4020 and 2.2-4021 of the 1950 Code of Virginia, as amended.**

The effective date of this Order shall be the date of execution by the Board.

SEEN AND AGREED TO:

William M. Cooke Sr.

William M. Cooke, Sr.

Sept. 12, 2006  
Date

Printed Name and Title of Person Signing on behalf of Entity

CITY/COUNTY OF Richmond  
COMMONWEALTH OF VIRGINIA

Sworn and subscribed before me this 12<sup>th</sup> day of SEPTEMBER, 2006.

[Signature]  
Notary Public

My Commission Expires: 9-30-09

SO ORDERED:

Entered this 5<sup>th</sup> day of December, 2006.

Real Estate Board

BY: [Signature]  
Jay W. DeBoer, Secretary

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**VIRGINIA DEPARTMENT OF PROFESSIONAL  
AND OCCUPATIONAL REGULATION  
COMPLIANCE & INVESTIGATIONS DIVISION  
3600 WEST BROAD STREET  
RICHMOND, VA 23230-4917**

**REPORT OF FINDINGS**

**BOARD:** Real Estate Board  
**DATE:** July 25, 2006

**FILE NUMBER:** 2006-03320  
**RESPONDENT:** William M. Cooke, Sr.  
**LICENSE NUMBER:** 0225021678  
**EXPIRATION:** December 31, 2007

**SUBMITTED BY:** Renee H. Popielarz  
**APPROVED BY:** E. Wayne Mozingo

**COMMENTS:**

On May 12, 2006 William M. Cooke, Sr. went on inactive status.

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William M. Cooke, Sr. ("Cooke") was at all times material to this matter a licensed Real Estate Salesman in Virginia (No. 0225021678).

Based on the analysis and/or investigation of this matter, there is probable cause to believe the respondent has committed the following violation(s) of the Code of Virginia and/or Board's regulation(s):

**BACKGROUND:**

On January 27, 2006, the Compliance & Investigations Division of the Department of Professional and Occupational Regulation received a written complaint from Howard Greene ("Greene"), Vice President of Compensation and Benefits for Altria Corporate Services, Inc. regarding Cooke. (Exh. C-1)

On a minimum of eighteen (18) occasions Cooke signed and provided real estate purchase contracts and an Estimates Of Cost To Close form that were not valid to employees of Philip Morris to assist the employees in obtaining some of their retirement funds early under the false pretense that they were purchasing a home. (Exhs. C-1 through C-19; Exh. R-1) During the time the contracts were written Cooke was a real estate salesman for Ralph Samuels And Associates

Inc. Realtors. These contracts were not associated with Ralph Samuels And Associates Inc. Cooke used contracts from and listed the name of a previous employer, Robinson-Harris And Co., Inc. (Exhs. C-2 through C-19; Exh. I-1)

The contracts provided by Cooke to Philip Morris employees include but may not be limited to:

- 1) Contract dated December 1, 2003 for Gloria Bailey (Exh. C-2)
- 2) Contract dated November 6, 2003 for Tyrone Barnes (Exh.C-3)
- 3) Contract dated September 15, 2004 for Tyrone Barnes (Exh. C-4)
- 4) Contract dated April 5, 2005 for Tyrone Barnes (Exh. C-5)
- 5) Contract dated November 20, 2003 for Maria Henderson (Exh. C-6)
- 6) Contract dated May 23, 2005 for Maria Henderson (Exh.C-7)
- 7) Contract dated August 27, 2003 for James Bloomfield Jr. (Exh. C-8)
- 8) Contract dated July 24, 2004 for James Bloomfield Jr. (Exh. C-9)
- 9) Contract dated January 17, 2005 for James Bloomfield Jr. (Exh. C-10)
- 10) Contract dated June 3, 2004 for Clorella Fogle (Exh. C-11)
- 11) Contract dated December 5, 2003 for Clorella Fogle (Exh. C-12)
- 12) Contract dated July 25, 2003 for Clorella Fogle (Exh. C-13)
- 13) Contract dated October 6, 2003 for Barbara Jones (Exh. C-14)
- 14) Contract dated July 20, 2003 for Deborah Newell (Exh.C-15)
- 15) Contract dated August 5, 2003 for Adjua Natoto-Z (Exh. C-16)
- 16) Contract dated January 15, 2004 for Adjua Natoto-Z (Exh. C-17)
- 17) Contract dated September 29, 2003 for Lorenzo Urquhart (Exh. C-18)
- 18) Contract dated November 5, 2004 for Lorenzo Urquhart (Exh. C-19)

The contracts listed purchase addresses in the Counties of Henrico and Chesterfield as well as in the City of Richmond. A search of the Real Estate Assessment records for these localities indicate that the addresses provided on the contracts either do not exist in the locations noted on the contracts or the address is not a residence. ( Exhs.I-2, I-3, and I-4)

The above information indicates probable cause of violations of the following regulations.

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1. Board Regulation (Effective April 1, 2003) (13 violations)

18 VAC 135-20-260. Unworthiness and incompetence.

Actions constituting unworthy and incompetent conduct include:

10. Failing to act as a real estate broker or salesperson in such a manner as to safeguard the interests of the public

**2. Board Regulation (5 violations)**

18 VAC 135-20-260. Unworthiness and incompetence.

Actions constituting unworthy and incompetent conduct include:

10. Failing to act as a real estate broker or salesperson in such a manner as to safeguard the interests of the public

***Historical Notes***

*Derived from VR585-01-1 §6.7, eff. July 15, 1987; amended, Virginia Register Volume 5, Issue 23, eff. October 1, 1989; Volume 7, Issue 14, eff. May 15, 1991; Volume 8, Issue 13, eff. May 15, 1992; Volume 11, Issue 18, eff. June 28, 1995; Volume 15, Issue 5, eff. January 1, 1999; Volume 19, Issue 12, eff. April 1, 2003; Errata, 19:14 VA.R. 2176, 2177 March 24, 2003.*

***Print Date:*** September 1, 2004

**3. Board Regulation (Effective April 1, 2003) (13 violations)**

18 VAC 135-20-260. Unworthiness and incompetence.

Actions constituting unworthy and incompetent conduct include:

11. Engaging in improper, fraudulent, or dishonest conduct.

**4. Board Regulation (5 violations)**

18 VAC 135-20-260. Unworthiness and incompetence.

Actions constituting unworthy and incompetent conduct include:

11. Engaging in improper, fraudulent, or dishonest conduct.

***Historical Notes***

*Derived from VR585-01-1 §6.7, eff. July 15, 1987; amended, Virginia Register Volume 5, Issue 23, eff. October 1, 1989; Volume 7, Issue 14, eff. May 15, 1991; Volume 8, Issue 13, eff. May 15, 1992; Volume 11, Issue 18, eff. June 28, 1995; Volume 15, Issue 5, eff. January 1, 1999; Volume 19, Issue 12, eff. April 1, 2003; Errata, 19:14 VA.R. 2176, 2177 March 24, 2003.*

***Print Date:*** September 1, 2004

5. Board Regulation (Effective April 1, 2003) (13 violations)

18 VAC 135-20-300. Misrepresentation/omission.

Actions constituting misrepresentation or omission, or both, include:

9. Knowingly making any material misrepresentation or making a material misrepresentation reasonably relied upon by a third party to that party's detriment

6. Board Regulation (5 violations)

18 VAC 135-20-300. Misrepresentation/omission.

Actions constituting misrepresentation or omission, or both, include:

9. Knowingly making any material misrepresentation or making a material misrepresentation reasonably relied upon by a third party to that party's detriment

***Historical Notes***

*Derived from VR585-01-1 §6.11, eff. July 15, 1987; amended, Virginia Register Volume 5, Issue 23, eff. October 1, 1989; Volume 7, Issue 14, eff. May 15, 1991; Volume 8, Issue 13, eff. May 15, 1992; Volume 11, Issue 18, eff. June 28, 1995; Volume 15, Issue 5, eff. January 1, 1999; Volume 19, Issue 12, eff. April 1, 2003.*

***Print Date: September 1, 2004***